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10/780,573	02/19/2004	Akihiro Sasakura	121.1059	1696

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EXAMINER

SMITHERS, MATTHEW

ART UNIT	PAPER NUMBER
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2137

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/780,573	Applicant(s) SASAKURA ET AL.	
	Examiner Matthew B. Smithers	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-12 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-12 and 14-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments, filed August 14, 2007, with respect to claims 6-9 have been fully considered but they are not persuasive. Applicant argues the computer readable mediums are statutory because they are articles of manufacture which meets one of the four statutory classes of an invention. In reviewing applicant's specification for determining the claimed computer readable medium, it appears that paragraph [0077] of applicant's specification is the only section that suggests what the computer readable mediums are in applicant's invention. This section shows the mediums are not limited to storage devices such as magnetic or optical discs, RAM or ROM but could also include downloading over a network the processes for implementing the invention. Downloading over a network (wired or wireless) requires transmission of a signal and signals are considered to be non-statutory. Therefore the rejection of claims 6-9 are maintained.

Applicant's arguments, filed August 14, 2007, with respect to claims 1, 6, 10 and 12 have been fully considered but they are not persuasive. Applicant argues Sekiyama does not teach determining the possibility of a particular communication that depends on the identifying information of the computer. The examiner respectfully disagrees and asserts Sekiyama does teach the above feature. In reviewing applicant's specification, it appears applicant is relying on page 6 paragraph [0042] of his specification for disclosing the above feature. Specifically page 6, paragraph [0042] clearly suggests the

limitation of "a communication determining section to determine whether a particular communication with said computers is possible or not, depending on said information of the computers" refers to determining what specific services a computer will be granted access is based on the information relating to the computer. Sekiyama teaches in paragraphs [0050]-[0057] that a specific service is granted in accordance with the communication terminal ID which is equivalent to applicant's claimed language of information of the computer. Therefore the rejection of claims 1, 6, 10 and 12 in view of Sekiyama are maintained.

Applicant's arguments with respect to claims 3-5, and 8-10 have been considered in view of the 102 rejection with Sekiyama but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3, 6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by
US 20060070125 granted to Pritchard et al.

Regarding claim 3, Pritchard meets the claimed limitations as follows”

“An authorization device comprising:

a unique data receiving section to receive, from computers, unique data which uniquely identify said computers;

a user information storage section to store unique user data indicating a user who can use one of said computers corresponding to said each unique data, and a password related to each of the unique user data; and

an authorizing section to authorize the user on the basis of said unique data received by said unique data receiving section, said unique user data and the password stored in said user information storage section.” see paragraphs [0056]-[0063].

Regarding claim 6, Pritchard meets the claimed limitations as follows”

“A computer-readable medium storing a program which, when executed by a computer, causes the computer to perform operations comprising:

receiving, from an external computer, unique data which uniquely identify said external computer; searching information of said external computer corresponding to said received unique data from a computer information storage section that stores the information of the external computer for each unique data; and determining whether a particular communication between the computer and said external computer is possible or not, depending on said searched information of said external computer.” see paragraphs [0056]-[0063].

Regarding claim 8, Pritchard meets the claimed limitations as follows”

“A computer-readable medium storing a program which, when executed by a computer, causes the computer to perform operations comprising:
receiving, from an external computer, unique data, which uniquely identify said external computer; and authorizing a user on the basis of said received unique data, unique user data, stored in a user information storage section, data indicating whether the user whether can use said external computer corresponding to each unique data, and a password stored in the user information storage section related to each of the unique data.” see paragraphs [0056]-[0063].

Claims 4, 9, 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by US 20020083342 granted to Webb et al.

Regarding claim 4, Webb meets the claimed limitations as follows”

“A computer comprising:

a unique data storage section to store unique data identifiable computers;
an external reference storage region which can be referenced by external computers, which is an area where a cookie information is stored;
a unique data copying section to copy said unique data stored in said unique data storage section to said external reference storage region; and
a unique data transmitting section to transmit said unique data stored in said external reference storage region to the external computers.” see paragraphs [0047]-[0052] and Figure 4.

Regarding claim 9, Webb meets the claimed limitations as follows”

“A computer-readable medium storing a program which, when executed by a computer, causes the computer to perform operations comprising:
reading unique data which uniquely identify computers from a unique data storage section storing said unique data; and copying said unique data to an external reference storage region which is an area where cookie information is stored, and which can be referenced from external computers.” see paragraphs [0047]-[0052] and Figure 4.

Regarding claim 10, Webb meets the claimed limitations as follows”

“An authorization device, comprising:
a unique data receiving section to receive, from a computer, unique data which uniquely identify said computer; and an authorizing section to authorize said computer to perform a service on the basis of said received unique data.” see paragraphs [0047]-[0052] and Figure 4.

Regarding claim 11, Webb meets the claimed limitations as follows”

“An authorization method comprising:
receiving, from an external computer, unique data which identify said external computer; searching information of said external computer corresponding to said received unique data from a computer information storage section tester-e-which stores information of the external computer for data; and determining whether the computer is able and authorized to perform a service.” see paragraphs [0047]-[0052] and Figure 4.

Claims 4, 5, 9 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by US 20030115481 granted to Baird et al.

Regarding claim 4, Baird meets the claimed limitations as follows”

“A computer comprising:

a unique data storage section to store unique data identifiable computers;
an external reference storage region which can be referenced by external computers,
which is an area where a cookie information is stored;
a unique data copying section to copy said unique data stored in said unique data
storage section to said external reference storage region; and
a unique data transmitting section to transmit said unique data stored in said external
reference storage region to the external computers.” see paragraphs [0022]-[0023],
paragraphs [0033]-[0034], and Figures 2- 4.

Regarding claim 5, Baird meets the claimed limitations as follows”

“A communication system communicating between a server and clients, comprising:
a unique data storage section, included in said clients to store unique data which
uniquely identify the clients; a unique data transmitting section included in said clients to
transmit said unique data to the server; a client information storage section included in
said server to store information of said client for said each unique data; a unique data
receiving section included in said server to receive said unique data from any of the
clients; and a client searching section included in said server to search information of
said client corresponding to said received unique data on the basis of said client
information storage section for authorizing communication between the server and the
clients based on said information of the clients.” see paragraphs [0022]-[0023],
paragraphs [0033]-[0034], and Figures 2- 4.

Regarding claim 9, Baird meets the claimed limitations as follows”

“A computer-readable medium storing a program which, when executed by a computer, causes the computer to perform operations comprising:

reading unique data which uniquely identify computers from a unique data storage section storing said unique data; and copying said unique data to an external reference storage region which is an area where cookie information is stored, and which can be referenced from external computers.” see paragraphs [0022]-[0023], paragraphs [0033]-[0034], and Figures 2- 4.

Regarding claim 17, Baird meets the claimed limitations as follows”

“The communication system according to claim 5, wherein:

the client information storage section stores information related to types or functions of the clients; and the client searching section searches the information related to the types or functions of the clients for authorizing communication between the server and the clients.” see paragraphs [0022]-[0023], paragraphs [0033]-[0034], and Figures 2- 4.

Claims 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by US 20020029336 granted to Sekiyama et al.

Regarding claim 14, Sekiyama meets the claimed limitations as follows”

“A server providing services to a plurality of clients, comprising:

a storage section that stores information related to each of the clients in connection with unique data uniquely identifying each client; a data receiving section that receives the unique data of a client from the client; and a searching section that searches the

storage section based on the unique data received by the data receiving section, and obtains the information related to the client, wherein the server determines whether the client is able to provide a particular service or not, and provides the particular service to the client if the client is able to provide the particular service.” see paragraph [0012], paragraph [0035], paragraph [0042], paragraph [0050]-[0057].

Regarding claim 15, Sekiyama meets the claimed limitations as follows”

“The server according to claim 14, wherein: the storage section stores a type or a model of clients; and

the server determines whether the client is able to provide a particular service or not based on the type or the model of the client.” see paragraph [0012], paragraph [0035], paragraph [0042], paragraph [0050]-[0057].

Regarding claim 16, Sekiyama meets the claimed limitations as follows”

“A server providing services to a plurality of clients, comprising:

a storage section that stores information related to each of the clients in connection with unique data uniquely identifying each clients;

a data receiving section that receives a registration request and the unique data of a client, from the client; and

a searching section that searches the information related to the client in the storage section based on the unique data received by the data receiving section,

wherein the server determines whether the client is able to provide a particular service or not, and registers the client or a user using the client when it is determined that the

client is able to provide the particular service." see paragraph [0012], paragraph [0035], paragraph [0042], paragraph [0050]-[0057].

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew B. Smithers whose telephone number is (571) 272-3876. The examiner can normally be reached on Monday-Friday (8:00-4:30) EST.

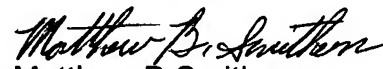
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel L. Moise can be reached on (571) 272-3865. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Matthew B Smithers
Primary Examiner
Art Unit 2137